

CHAPTER LXXIV.

*An Act to amend Section Two Hundred and Thirty-Seven,
Chapter Sixty-Six, of the General Statutes of the State.*

Feb'y 28, 1870.

SECTION 1. Amendment to Section Two Hundred and Thirty-Seven (237) of Chapter Sixty-Six (66) of the General Statutes. Statement how prepared and served.

2. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section two hundred and thirty-seven of chapter sixty-six, general statutes of Minnesota, be and the same is hereby amended so as to read as follows :

Sec. 237. The party preparing a bill of exceptions or case shall, within twenty days after the trial, serve it upon the adverse party, who may within ten days after such service propose amendments thereto; and within fifteen days after service of such amendments, the same with the amendments proposed thereto shall be presented to the judge or referee who tried the cause for allowance or settlement and signature, upon a notice of five days; if not presented within the time aforesaid, or such further time as may be stipulated or granted, the same shall be deemed abandoned: *Provided*, That whenever the judge who tried the cause shall die or become incapable from acting from sickness or other cause before a bill of exceptions is allowed or case made, or shall depart from and remain without the state at the time limited for the same allowance or settlement, the said bill may be allowed or case settled by or before the judge of an adjoining judicial district in which the action is pending, or in case a referee shall so die or become incapacitated or remain absent as herein set forth, such bill may be allowed or case settled by the judge of the district court in which such action is pending, and in either case such allowance or settlement shall be made upon the files in the cause, the minutes of the judge or referee, if attainable, and upon such proof of what

Statement how prepared and served.

transpired at the trial, as may be presented by affidavit on behalf of the parties to the action with like effect in all respects as if such bill was allowed or case settled by the judge or referee who tried the cause. The case or bill being examined and found or made conformable to the truth shall be allowed and signed by the judge, referee or other officer acting instead of such judge or referee as provided herein.

SEC. 2. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved February 28, 1870.

CHAPTER LXXV.

An Act to amend Chapter One Hundred and Thirteen of the General Statutes, relating to changes of venue in criminal cases.

Feb'y 24, 1870.

- SECTION 1. Amendment to Section One (1) of Chapter One Hundred and Thirteen (113) of the General Statutes. Criminal cases where tried, and when removed.
2. Amendment to Section Two (2) of Chapter One Hundred and Thirteen (113) of the General Statutes. Proceedings when venue is changed to another county.
3. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Section one of chapter one hundred and thirteen of the general statutes of the state of Minnesota, relative to the change of venue in criminal cases, is hereby amended so as to read as follows:

Section 1. All criminal causes shall be tried in the county where the offense was committed, except where otherwise provided by law, unless it appears to the satisfaction of the court by affidavit that a fair and impartial trial can not be had in such county, in which case the court before whom the cause is pending, if the offense

Criminal cases where tried and when removed.